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SEP-5-02 10:59PM;

Group Art Unit 3731

Examiner: Michael H. Thaler

PAGE 5 #8/13 9-10-0

ATTORNEY'S DOCKET: IFD/046

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ECKHARD ALT

KHARD ALT

Serial No. 09/735,401

Filed: 12/12/2000

Title: TUBULAR STENT WITH OVAL STRUTS

Commissioner of Patents and Trademarks

Washington, D.C. 20231

AMENDMENT

Responsive to the Office Action dated 03/05/2002, please amend this application as follows:

In the Claims:

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Amend the claims as follows:

- 61. (Amended) A balloon-expandable vascular or endoluminal stemt adapted for deployment in a vessel or tract of a patient to maintain an open lumen therein, comprising a scaffold formed from a single open-ended tube having a solid tubular wall with a multiplicity of through-holes in the tubular wall defined by a plurality of struts bounding said through-holes; each of said struts having an optimized cross-section of oval shape with a short diameter corresponding substantially to the thickness of said wall so that the long sides of the oval lie at the outside and the inside of the tube wall at the respective strut, to enhance flexibility of the stent, ease advancement of the stent through a lumen of the vessel or tract for deployment at a target site therein, protect the balloon of a balloon catheter when the stent is tightly crimped thereon, and enhance expansion of the stent during deployment while maintaining its

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ATTORNEYDOCKET IFD/046

SEP-5-02 10:58PM;

ATTORNEY'S DOCKET: IFD/046

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

FAX RECEIVED

ECKHARD ALT

Group Art Unit 3731

SEP 05 2002

Serial No. 09/735,401

Filed: 12/12/2000

Examiner: Michael H. Thaler

GROUP 3700

Title: TUBULAR STENT WITH OVAL STRUTS

FACSIMILE TRANSMITTAL LETTER

1. Transmitted herewith by fax is a 5-page Amendment, 2-page Attachment A with clean copy of amended claims, and 1-page Certification of Facsimile Transmission, responsive to the Office Action of 03/05/2002.

2. The fee for claims has been calculated as follows:

Total	Claims After Amdmt.		Highest No. Prev. Pd. For		Extra	Present Rate (Small Entity)		Addl Fee	
	4	minus	20	=	0	x \$9	-	\$	0.00
Indep.	2	minus	3	=	0	x \$42	=		0.00
				- .		TOTAL		\$	0.00

3. Applicant requests a three-month extension of time to reply to the aforementioned Office Action. Enclosed herewith is a credit card payment (Form PTO-2038) to the USPTO for the extension fee of \$460.00. A duplicate copy of this page is enclosed.

Donald R. Greene

Registration No. 22470

P. O. Box 12995

Scottsdale, AZ 85267-2995

Tel: 480-488-9895 Fax: 480-488-5654

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Dated:

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PAGE 1

ATTORNEY'S DOCKET: IFD/046

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

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ECKHARD ALT

Group Art Unit 3731

SEP 05 2002

Serial No. 09/735,401

Examiner: Michael II. Thaler

GROUP 3700

Filed: 12/12/2000

Title: TUBULAR STENT WITH OVAL STRUTS

Commissioner of Patents and Trademarks

Washington, D.C. 20231

CERTIFICATION OF FACSIMILE TRANSMISSION

<u>URGENT</u>: Please deliver this cover sheet and enclosed Papers ASAP as follows:

То:

Examiner Michael H. Thaler, Group Art Unit 3731

Organization: U.S. Patent and Trademark Office

City:

Arlington, Virginia

Recipient Fax No.: 703-872-9302 (per USPTO website)

Total pages: 11, including this cover page.

Please notify (480) 488-9895 if transmission is faulty.

The undersigned attorney of record certifies that this cover page, enclosed 5-page Amendment in reply to Office Action of 03/05/2002, 2-page Attachment A (marked-up version showing changes) to Amendment, Credit Card payment (Form PTO-2038), and 1-page Facsimile Transmittal Letter with fee calculation (in duplicate), were faxed from his office in Scottsdale, Arizona to the U.S. Patent and Trademark Office to the above-referenced Recipient Fax Number on 09/05/2002, at approximately 10:55 P.M., Mountain Standard Time (Arizona does not observe Daylight Saving Time).

Donald R. Greene

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Fax: 480-488-5654

Dated: <u>09/05/2002</u>

DRU/IPDCRTFAX 04G/09032